

بسم الله الرحمن الرحيم
(SHARH BULUGH AL MARAAM)
(ZAKAT)

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كتاب الزكاة
Book 4: Zakah

عن ابن عباس رضي الله عنهما: أن النبي - صلى الله عليه وسلم - بعث معاذاً رضي الله عنه - إلى اليمن ... فذكر الحديث، وفيه: أن الله قد افترض عليهم صدقة في أموالهم، تؤخذ من أغنيائهم، فترد في فقرائهم. متفق عليه، واللفظ للبخاري

623. Ibn 'Abbas (RAA) narrated that when the Prophet (ﷺ) sent Mu'adh Ibn Jabal to Yemen (as governor), he said to him: "You are going to a people who are People of the Scripture. Invite them to testify that none has the right to be worshipped but Allah and that I am His Messenger. If they obey you in this, then teach them that Allah, the Glorious One, has enjoined five prayers upon them in every day and night (in twenty-four hours), and if they obey you in this, then tell them that Allah has made it obligatory for them to pay Zakah upon their assets and it is to be taken from the wealthy among them and given to be poor among them."
[Related by Al-Bukhari]

This is taken from the rich and given to the poor

-zakah is used interchangeably with sadaqa but they are not the same

-zakah is paid once a year and it has a prescribe time

وعن أنس - رضي الله عنه - أن أبا بكر الصديق - رضي الله عنه - كتب له - هذه فريضة الصدقة التي فرضها رسول الله - صلى الله عليه وسلم - على المسلمين، والتي أمر الله بها رسوله: «في أربع وعشرين من الإبل فما دونها الغنم في كل خمس شاة، فإذا بلغت خمسا وعشرين إلى خمس وثلاثين ففيها بنت مخاض أنثى فإن لم تكن فابن لبون ذكر، فإذا بلغت ستا وثلاثين إلى خمس وأربعين ففيها بنت لبون أنثى، فإذا بلغت ستا وأربعين إلى ستين ففيها حقة طروقة الجمل، فإذا بلغت واحدة وستين إلى خمس وسبعين ففيها جذعة، فإذا بلغت ستا وسبعين إلى تسعين ففيها بنتا لبون، فإذا بلغت إحدى وتسعين إلى عشرين ومائة ففيها حقتان طروقتا الجمل، فإذا زادت على عشرين ومائة ففي كل أربعين بنت لبون، وفي كل خمسين حقة. ومن لم يكن معه إلا أربع من الإبل فليس فيها صدقة إلا أن يشاء ربها.

وفي صدقة الغنم سائمتها إذا كانت أربعين إلى عشرين ومائة شاة شاة، فإذا زادت على عشرين ومائة إلى مائتين ففيها شاتان، فإذا زادت على مائتين إلى ثلاثمائة ففيها ثلاث شياه، فإذا زادت على ثلاثمائة ففي كل مائة شاة، فإذا

كانت سائمة الرجل ناقصة من أربعين شاة شاة واحدة فليس فيها صدقة، إلا أن يشاء ربها.
ولا يجمع بين متفرق، ولا يفرق بين مجتمع خشية الصدقة، وما كان من خيلطين فإنهما يتراجعان بينهما بالسوية، ولا يخرج في الصدقة هرمة ولا ذات عوار، إلا أن يشاء المصدق، وفي الرقة ربع العشر، فإن لم تكن إلا تسعين ومائة فليس فيها صدقة إلا أن يشاء ربها، ومن بلغت عنده من الإبل صدقة الجذعة وليست عنده جذعة وعنده حقة، فإنها تقبل منه الحقة، ويجعل معها شاتين إن استيسرتا له، أو عشرين درهما، ومن بلغت عنده صدقة الحقة وليست عنده الحقة، وعنده الجذعة، فإنها تقبل منه الجذعة، ويعطيه المصدق عشرين درهما أو شاتين». رواه البخاري

624. Anas (RAA) narrated that Abu Bakr As-Siddiq (RAA) wrote him this letter, "This is the obligatory Zakah, which the Messenger of Allah (ﷺ) made obligatory for every Muslim, and which Allah, the Almighty had commanded him to observe.'For each twenty-four camels, or less, their Zakah is to be paid as sheep; for every five camels, their Zakah is one sheep. When the amount of camels is between twenty-five to thirty-five, the due Zakah is one she-camel 'bint makhad' (a camel which is one year old and just starting the second year) or a male camel 'ibn labun' (a young male camel which is two years old and already starting the third year). However, when the amount of camels reaches thirty-six, the due Zakah is a young she-camel 'bint labun' (a young female camel, which is two years old and already starting the third year). When they reach forty-six to sixty camels, their due Zakah is a she-camel 'hiqqah' (which is three years old and starting the fourth). When they reach sixty-one to seventy-five, one 'Jaz'ah' (a four year old camel already starting its fifth year). When their number is between seventy-six to ninety camels, their due Zakah is two young she-camels 'bint labun'. When they are in the range between ninety-one to one hundred and twenty camels, the Zakah is two young she-camels 'hiqqah'. If they are over a hundred and twenty camels, on every forty camels, one 'bint labun' is due. And for every fifty camels (over one hundred and twenty) a young she-camel 'hiqqah' is due. And anyone, who has got only four camels, does not have to pay Zakah unless he (the owner of the camels) wants to give something voluntarily.

Regarding the Zakah of grazing sheep, if they are between forty and one hundred and twenty, one sheep is due as Zakah. If they are between 120 and 200, two sheep are due. If they are between 200 and 300, three sheep are due. If they exceed three hundred sheep, then one sheep is due for every extra hundred grazing heads. If the grazing sheep are less than forty, (even if they are 39) then no Zakah is due on them, unless he (the owner of the sheep) wants to give something voluntarily.

One should not combine (i.e. gather young animals together) or separate them for fear of paying Zakah. When there is a mixture of cattle shared between two partners, and Zakah is paid jointly between them, then they have to calculate it equally among them (depending on the share of each). Neither an old or a defective animal nor a male goat (a ram used for breeding) may be taken as Zakah, unless the Zakah collector wishes to do so.

Concerning silver, the Zakah paid is a quarter of a tenth for each 200 Dirhams. If the amount of silver is less than two hundred Dirhams (even if it is 190) then no Zakah is to be paid for it, unless the owner wishes to do so.

If the number of camels reaches the number on which a jaz'ah (a four year old camel already starting its fifth year) is due as Zakah, but he only has a 'hiqqah' (a she-camel which is three years old and starting the fourth), it should be accepted from him along with two sheep if they were available (to compensate for the difference) or twenty Dirhams. If on the other hand he has to offer a 'hiqqah' as Zakah, but he only has a jaz'ah, it is accepted from him, and the Zakah collector will then pay him the difference, which is twenty Dirhams or two female sheep.'
[Related by Al-Bukhari]

- but the sadaqa can be paid many times in the year and at any time
- You are only allowed to give good animals for zakah
- Allah (swt) only accepts good
- the nisab for silver in today's currency is 600g and you pay 1/40 of that
- The rasul (ﷺ) have laid down how to collect zakah and the kufaar are impressed with that

Indeed in the Messenger of Allah (Muhammad ﷺ) you have a good example to follow for him who hopes in (the Meeting with) Allah and the Last Day and remembers Allah much. (Al-Ahzab 33:21)

ZAKAH ON ANIMALS

وعن معاذ بن جبل - رضي الله عنه: أن النبي - صلى الله عليه وسلم - بعثه إلى اليمن، فأمره أن يأخذ من كل ثلاثين بقرة تبيعاً أو تبيعة، ومن كل أربعين مسنة، ومن كل حالم ديناراً أو عدله معافراً. رواه الخمسة، واللفظ لأحمد، وحسنه الترمذي وأشار إلى اختلاف في وصله، وصححه ابن حبان، والحاكم

625. Mu'adh bin Jabal (RAA) narrated, 'When the Messenger of Allah (ﷺ) sent him to Yemen, he commanded him to take a 'tabi' (young bull) or 'tabi'ah' (young cow, which is one year old), as Zakah for every 30 cows. And for every forty cows, a musinnah (two year old cow) is due. Every non-Muslim who attained the age

**of puberty should pay one Dinar or the equivalent from the Mu'afiri clothes (made in a town in Yemen called Ma'afir).'
[Related by the Five Imams and the wording is from Ahmad]**

ANSWER

**Saaiduna Abu Dhar Radiallahu Anhu narrates that once I went to the Prophet of Allah Sallallahu Alahi Wasalam and he said, "By Allah in Whose Hands my life is in, whoever had camels or cows or sheep and did not pay their Zakat, those animals will be brought on the Day of Resurrection far bigger and fatter than before and they will tread him under their hooves, and will butt him with their horns, and (those animals will come in circle): When the last does its turn, the first will start again, and this punishment will go on till Allah has finished the judgments amongst the people."
(Sahih Bukhari p.188 v.1)**

Saaimah animals are those animals left to graze freely in the pastures for a specific reason, either, and so that they yield milk, or for breeding purposes, or for increased stock. Those animals which are left for grazing, other than for breeding or milk production are not zakatable. Zakat is obligatory on Saaimah animals whether they are male or female. However, those animals kept for personal use like for eating is completely exempt from zakat.

**Zakat is not wajib on horses. Horses kept for reselling, are zakatable, regardless of whether they feed on wild pastures or they are fed. They will be regarded as good in trade and when they reach nisab amount, zakat has to be given on them. There will be no zakat upon donkeys; mules, tamed cheetahs and tamed dogs provided they are not intended for resale.
(Fiqhus Zakat p.299 v.1)**

Zakat for Sheep and Goats

The Nisaab (minimum number) when Zakat becomes applicable is forty animals, which are more than twelve months old. There is no Zakat if the number is less than forty. One goat must be given in zakat for every 40 goats. From 40 to 120 this is the nisab.

From 121 to 200 goats, two goats must be given. From 201 to 399 goats, three goats must be given. For 400 goats, four goats must be given. Thereafter for each additional hundred, one sheep that is one year old must be given as Zakat. The same nisab applies for sheep as well. (Ahsanul Fatawa p.272 v.4)

Zakat for Camels

5-9, one year old goat
10-14 two goats
15-19 three goats
20-24 four goats
25-35, one 1 year old camel
36-45, one 2-year old she camel;
46-60, one 3-year old she camel;
61-75, one 4-year old she camel;
76-90, two 2-year old she camel;
10. 91-124, two 3-year old she camel.

Those who refuse to pay the zakah on animals these animals will trample on them with their feet

- until Allah (swt) is done with the reckoning of people with animals
- the animal is only zakatible if you breed them for sale
- but those kept for personal use like for eating these are exempted
- zakah on horses are only zakatible if you breed them for sale
- If you water the crop the animals feeds on then you pay 1/5
- if Allah waters it then you pay 1/10
- If you water the crop the animals feeds on then you pay 1/20
- if the number is less than 40 goats then no zakah is due

THE CONDITIONS FOR THE ZAKAH

Literally Zakah means

Blessing, purification, increase and goodness It is so called as it blesses the wealth from which it is taken and protects it from misfortunes. Ibn Taimiah said, "The soul of one who gives Zakah is blessed and so is his wealth"

Technically Zakah is defined as

"A determined portion taken from wealth and allocated to those deserving it, by a Qur'anic injunction" Sometimes Zakah is referred to in the Holy Qur'an as Sadaqah (alms). The Qur'an says, "Of their goods take alms, that so thou mightest purify and sanctify them; and pray on their behalf, verily thy prayers are a source of security for them." [Surah Al-Taubah, No.9, Verse: 103]]

In an authentic hadith, the Prophet (ﷺ) said to his Companion Mu`adh, when he was sent to Yemen as governor, "Tell them that Allah has made Zakah obligatory for them, that it should be collected from the rich and distributed among the poor."

Judgment of Zakah:

Zakah is the third of the Five Pillars of Islam. Denying it leads to disbelief and Muslims are commanded to fight those who abstain from paying it. Its legality dates back to the second year after Hijrah. It is mentioned in the Qur'an more than once. The Qur'an says, "And be steadfast in prayer; practice regular charity; and bow down your heads with those who bow down (in worship)". (Surah Al-Baqarah 2:43).

The Qur'an also says, "And that in whose wealth is a recognized right for the (needy) who asks and him who is prevented (for some reason from asking)" (Surah Al-Ma'arij 70:24-25)

Wisdom of its Legality:

Zakah is indispensable for the Muslim community as it achieves reform, both financially and spiritually. It eliminates misery and greed from hearts and consolidates the Islamic economy, leading to its stability and prosperity.

Take Sadaqah (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allah for them. Verily! Your invocations are a source of security for them, and Allah is All-Hearer, All-Knower. (At-Tawbah 9:103)

Allah told you need to pay zakah in surah 9:103

- if you deny zakah you are a kaafir
- because you deny a pillar and Abu Bakr (r.a) fought those who refused to pay it
- it was mentioned 82 times with salah

And perform As-Salat (Iqamat-as-Salat), and give Zakat, and Irka' (i.e. bow down or submit yourselves with obedience to Allah) along with Ar Raki'un. (Al-Baqarah 2:43)

- when you pay zakah poverty is eradicated
- but there is prostitution today in the Muslims world because Muslims refuse to pay it

Islamic Shariah laid down some conditions that must be realized to make Zakah due. These conditions were identified with the aim of granting some facilities to the owner, so that he might give Zakah willingly. Thus, Zakah achieves the noble aims for which it has been ordained. These conditions are:

Full Possession

Real or Assumed Growth
Fulfilling the Nisab (Minimum Amount Liable to Zakah)
Fulfilling One's Basic Needs
The Lapse of a Full Year
Forbidding Twice Payment of Zakah at the Same Year

Full Ownership

Full possession implies that the owner should be fully capable of disposing the property without being an object of contest by others. As Zakah is considered a kind of ownership as regards the receiver, the giver must purely own it. Thus, no Zakah is due on the property which is Dimar (that is not fully possessed, due to ignorance of its location or incapability to reach it). Some Companions are reported to have said, "Zakah is not due on a Dimar property, or on the deferred amount of dower (as a woman cannot dispose of it) nor on the debt owed by an insolvent person." However, in case such kind of property becomes fully possessed, Zakah becomes obligatory on it for one year only, no matter how many years it remained out of reach.

Growth of Wealth, Whether Real or Assumed

Real growth of wealth is that caused by its producing offspring, or by gain realized from trade. Assumed growth implies the liability of property, such as gold, silver and currencies to increase when exploited in trade. However, no Zakah is due on properties that are not liable to real or assumed growth.

Reaching Nisab (Minimum Amount Liable to Zakah)

The method of estimating the Nisab (minimum amount liable to Zakah) is applicable to cash money, gold, silver, commercial commodities and cattle. According to a prophetic hadith, "Gold is not liable to Zakah unless it reaches twenty dinars. Once it reaches this amount, half a dinar must be paid as Zakah on it. Likewise, silver is not counted for Zakah unless it reaches two hundred dirham's. Once it reaches this value, an amount of five dirham's must be paid as Zakah on it." Based on this hadith the Nisab of gold counted for Zakah is twenty dinars (85 grams) of fine gold, while the Nisab of silver is two hundred dirham's (595 grams) of fine silver. The Nisab of merchandise is an amount whose value equals eighty-five grams of gold. No Zakah is due upon other kinds of property unless they reach their Nisab, which will be specified later on.

Zakah becomes due upon reaching the Nisab or more than it.
According to the Hanafi and Maliki juristic schools, the Nisab is

calculated at the beginning and end of the year. Any decrease or insufficiency in between is overlooked.

Any increase of property after reaching the Nisab during the year is to be included in the total sum counted for Zakah.

This is considered the easiest and most applicable among the other juristic views, which have made the majority of scholars, adopt it.

Khultah [Co-possession]

Khultah implies treating the property owned by two or more persons as that owned by only one person.

This may result from the unity of type and conditions, such as the unity of pasture, watering place and enclosure if the property is sheep, or the unity of responsibilities, procedures and disposition in case of partnership. Though the concept of Khultah is often applied to Zakah on cattle, some juristic schools also applied it to other kinds of property such as crops, fruits and cash money. Thus co-properties are to be treated as a single unity making up the total sum on which Zakah is payable. For example, a flock of 45 sheep that is owned by three persons, 15 sheep each, is counted for Zakah, and one sheep is due, though treating each of the three persons individually would not reach the Nisab of 40 sheep.

Exceeding One's Basic Needs

Properties owned to meet one's basic requirements such as houses, work tools, machines for industry, means of transport, and furniture are excluded from Zakah. The same applies to the money dedicated to the repayment of debts, since the debtor is in need of this money to relieve himself from imprisonment and humiliation. This leads to a conclusion that the money kept to meet the basic requirements is exempted from Zakah.

The lapse of a full year

A property is not counted for Zakah unless after the lapse of a full lunar year right from the day it reaches the Nisab. In case the budget is linked to the solar year, the solar calendar can be applied provided that the percentage of Zakah is raised up to 2.577% instead of 2.5% so as to make up for the difference between the two calendars.

However, this condition does not apply to fruits and other crops. The criterion for giving Zakah on these two specific kinds of property is mentioned in the Holy Qur'an, "Render the dues that

are proper on the day that the harvest is gathered." (Surah Al-An'am 6:141). In the same line the majority of scholars agreed that the lapse of a full year is not a necessity to pay Zakah on minerals and extracted treasures.

Forbidding Twice Payment of Zakah at the Same Year

Once Zakah is paid on a property, it absolves the owner, even though the property is then transferred to a type different from that on which Zakah had been paid. For example, when the crops or cattle are sold, thus transferred to cash money, this new type of property is not liable to Zakah in the same year in which Zakah is paid on the former type. This in fact leads to the repetition of paying Zakah, which is contradicted by the Prophet's hadith in which he observed, "There is no repetition of Zakah."

Public wealth, endowments and charitable properties Zakah is not due on public wealth, since it is a common property owned by all individuals of the community, including the poor. Likewise, Zakah is not due on endowments and money dedicated to charitable purposes, such as charitable associations and funds, so long as they do not belong to a specific owner.

- to collect zakah twice a year from a person is oppression and may cause him to apostate.
- you pay on your inheritance or gift after it is one year old.

WHAT TYPE OF PROPERTY IS ZAKATIBLE

I am the student, and I have no salary. But I have scholarship from Govt. of Japan. Is it necessary to pay zakat or not? Thank you very much for your kindly help and attention.

Praise be to Allah.

Zakaah is obligatory on four kinds of wealth: agricultural produce (grains, fruits, etc.); freely-grazing livestock and cattle; gold and silver (and their equivalents in modern currencies and bank-notes) - the zakaah on which is 2.5%; and trade goods.

Seeing that the money you have is in the form of paper currency paid to you as a grant from the Japanese government, the easiest way for you with regard to paying zakaah in this case is: wait until after one hijri year has passed, then check your bank and pay 2.5% (twenty-five out of every thousand) from whatever you have. But if you are living hand to mouth, as it were (i.e., spending it all straightaway), and you do not have enough left to

reach the level of the nisaab, and a year has passed, then you are not obliged to pay zakaah in this case. And Allaah knows best.

-the wholesale value of the goods in your shop is what is zakatible

-the nisab for cash is \$5,000 or £3,000

ARE YOU ALLOWED TO PAY ZAKAH IN ADVANCE

I have an amount in an Islamic bank. Is it permissible for me to pay Zakat in advance during the year? Like when I receive interest; as I fear when the time of paying it comes, I will not have money to pay it.

Do we give Zakat out of the capital only or of capital and interest together?.

Praise be to Allaah.

Firstly:

It is not permissible for a Muslim to invest his wealth in a riba-based bank, or that which is called Islamic but is not, rather it should be Islamic in nature as well as in name. If the bank is Islamic and does not deal in riba by taking or giving interest, and it invests its wealth and distributes the profits to the investors in accordance with the rulings of Islamic sharee'ah, then there is nothing wrong with investing money in it. [See also the answer to question no. 47651]

Secondly:

With regard to paying zakaah in advance, the correct view is that it is permissible, and this is the view of the majority of scholars, but it is better not to pay zakaah in advance, unless there is a reason for doing so.

Shaykh al-Islam Ibn Taymiyah (may Allaah have mercy on him) said: As for paying zakaah before it is due, that is permissible according to the majority of scholars, such as Abu Haneefah, al-Shaafa'i and Ahmad, and it is permissible to pay zakaah in advance on livestock and gold and silver, and trade goods, if he owns the nisaab (minimum threshold) [Majmoo' al-Fataawa (25/85, 86)]

The scholars of the Standing Committee for Issuing Fatwas said:

There is nothing wrong with paying zakaah one or two years in advance, if that will serve an interest, and giving it to the poor and needy on an annual basis. End quote.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd al-Razzaaq ‘Afeefi, Shaykh ‘Abd-Allaah ibn Ghadyaan. [Fataawa al-Lajnah al-Daa’imah (9/422)]

Shaykh Muhammad ibn Saalih al-‘Uthaymeen (may Allaah have mercy on him) was asked:

What is the ruling on paying zakaah for several years in advance to disaster victims?

He replied:

Paying zakaah more than a year in advance is valid, but it is only permissible for a few years, and it is not permissible for more than that. But one should not pay zakaah in advance unless it is in response to a need such as a severe famine or jihad and the like.

In that case we say that it should be paid in advance, because there may be reason to make what is ordinarily less appropriate more appropriate, otherwise it is better not to pay zakaah until it becomes due, because something could happen to his wealth of destruction and the like. Whatever the case, it should be noted that if he subsequently has more than he had when he paid in advance, zakaah must be paid on the additional amount. [Fataawa al-Shaykh al-‘Uthaymeen (18/328)]

Thirdly:

Zakaah must be paid on all the money - both the capital and the profits - when one year has passed from the time when the capital was acquired and reached the nisaab.

The year in question is a hijri year.

The scholars of the Standing Committee for Issuing Fatwas were asked:

I have some wealth worth fifteen thousand riyals (15,000) which I gave to a man to do business with, on the basis that he would have half of the profits. Is any zakaah due on this money? Which should I pay zakaah on, the capital, the profit or both? If zakaah is due on the capital and we bought goods with the capital such as carpets, furniture and the like, what is the ruling in that case?

They replied:

Zakaah is due on the wealth mentioned which has been prepared for trade, when one year has passed. Zakaah should be paid on

the capital as well as the profits when one year has passed, even if the money was used to buy trade goods. Their value should be worked out based on the market price at that time, when one year has passed, and zakaah should be paid at a rate of two and half percent (2.5%) on the total wealth, including the profits. End quote.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd al-Razzaaq ‘Afeefi, Shaykh ‘Abd-Allaah ibn Ghadyaan. [Fataawa al-Lajnah al-Daa’imah (9/356, 357)]

They also said:

Zakaah must be paid on the capital and profits when one year has passed since the wealth was first acquired (the capital). The year for the profits is the same as the year for the original capital. End quote

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd al-Razzaaq ‘Afeefi, Shaykh ‘Abd-Allaah ibn Ghadyaan. [Fataawa al-Lajnah al-Daa’imah (9/356, 357)]

We should also point out that if the Islamic bank pays zakaah on behalf of its customers, that is sufficient and he does not have to pay zakaah, if the bank can be trusted to do that in the proper Islamic manner, but he still has to pay zakaah on that which is in his possession and that which he owns, which is not in the bank.

- The scholars of Islam allow it and I don't know of any scholar who says otherwise
- only the Malikis from the 4 schools don't allow it
- especially in cases when there is a natural disaster and people are in need
- or that the Mujahideen are running out on weapon
- there is zakah on land if you buy it with the intention of reselling it

PAYING ZAKAH ON LAND?

(1)

Zakat is due for land only if at the time of purchase, the buyer has a clear and firm intention of reselling the land itself

Zakat is not due if the land were purchased for any other purpose, nor if the intention of resale at the time of purchase was not definite but rather a possible option

This holds even if the intention at the time of purchase is for commercial purposes such as leasing and even if after purchase one firmly decides to resell the land.

Therefore in the scenario you describe, zakat would not be owed

Also if one does purchase land with the explicit intention of reselling the land, then one simply pays 2.5% of the 'current market value' of the land at the time of his or her zakat due date, not on the profit/appreciation alone.

(2)

If in this scenario the land were purchased with the explicit intention of reselling the land, then zakat would be due every year upon whatever it is that the buyer owns at the time of his zakat due date, depending on the nature of the contract.

So if at the time of the contract complete ownership of the land is transferred to the buyer, who then pays its price over time in instalments, then zakat is due every year on the 'current market value' of the land itself. Again, this is assuming the land were purchased with the firm intention of resale alone

WHO SHOULD PAY THE ZAKAH

-if you have less than 5,000 USD, you are considered poor

- 1. Must be a Muslim because kaafirs pay jizya**
- 2. The person must be an adult**
- 3. The person has to be sane**
- 4. The person has to be free not a slave**
- 5. The person has to be the owner of the goods**
- 6. The money has to reach the nisaab, less than that, you do not pay zakah**
- 7. The person must be solvent; can not be bankrupt**

In the Islamic state Muslims pay zakah and the kufaar pay jizya

WHO SHOULD RECEIVE ZAKAH

**As-Sadaqat (here it means Zakat) are only for the Fuqara (poor), and Al-Masakin (the poor) and those employed to collect (the funds); and for to attract the hearts of those who have been inclined (towards Islam); and to free the captives; and for those in debt; and for Allah's Cause (i.e. for Mujahideen - those fighting in the holy wars), and for the wayfarer (a traveller who is cut off from everything); a duty imposed by Allah. And Allah is All-Knower, All-Wise.
(At-Tawbah 9:60)**

- the miskeen is so poor he begs
- the fakeer is doesn't beg but he has no savings
- he lives from hand to mouth
- it allowed to pay to kufaar who are sympathisers of Islam but they can't be neglected
- Umar (r.a) didn't give them but the rasul (saw) and Abu Bakr (r.a) did

THE PEOPLE WHO RECEIVE ZAKAH should be:

1. THE POOR AND THE NEEDY

- these are so poor they can't pay bills
- they are struggling
- these RECEIVE zakah
- they should be given enough to satisfy them for 1 full year
- a student is considered poor and needy
- some of these have student loans
- when the Dajjal loans you student loan money, they take back their money
- by automatic means in your salary
- many of these finance companies are own by Jews
- who will not loan you money to pay them back

In a hadith reported by Ahmed, Abu Dawud, and Nasa'e, two men came to the Messenger of Allah (saws) and asked for Zakat. He looked at them closely and found them strong and able, he said, "If you want I will give you. But you should know that the wealthy or an able person who can work has no share in Zakat" (Ahmad)

2. THOSE WHO ADMINISTER THE ZAKAH DEPARTMENT

- bookkeeping, making lists and making financial calendars

Related by Abu Musa Al-Ashi'ari (raa), the Messenger of Allah ﷺ said: "A trustworthy Muslim executor is the one who executes completely what has been entrusted to him of Zakat money in good faith." (Bukhari)

And Al-Masakin (the poor) and those employed to collect (the funds)(At-Tawbah 9:60)

3. THE NEW REVERTS TO ISLAM

- those we want to harmonize into the beauty of Islam
- Islam is divided into 2 equal halves:

1. Ibaadah (this is how we treat God)

2. Mu'aamala (this is how we treat people)

And for to attract the hearts of those who have been inclined (towards Islam); (At-Tawbah 9:60)

4. THE PERSON IN CAPTIVITY

-if you pay the gora money, he will release captives
-we can use zakah to free Muslim prisoners and to free the captives; (At-Tawbah 9:60)

5. THOSE THAT ARE IN DEBT

-we can use zakah money to get people out of debt and for those in debt
(At-Tawbah 9:60)

In a hadith reported by Qubaysah Al-Hilaaly (raa), he said I was under debt (hamaalah) and I came to the Messenger (ﷺ) and begged him to help me pay it off.

The Messenger ﷺ told him: "Wait until we receive charity, so we will command that it be given to you." However, the Messenger stated: "O Qubaysah, begging is not permitted except for one of three categories of people:

-begging is halal for the poor person

-begging is permissible till he gets what will support him, or will provide him subsistence. Besides these three, Qubaysah, begging is forbidden for every other person, and one who engages in such consumes that which is forbidden." (Muslim)

6. THOSE WORKING IN THE PATH OF ALLAH (OUR MUJAHIDEEN)

And for Allah's Cause (i.e. for Mujahideen - those fighting in the holy wars) (At-Tawbah 9:60)

-they need bullets, money, food, ammunition, transportation
-when we say Fesabilillah we mean **IN THE PATH AND FOR THE SAKE OF ALLAH**
-anything that raises the banner of Islam
-also, this is for those who do fulltime dawah

7. THE WAYFARER (traveller)

8. THE PEOPLE IN DEBT

**And for the wayfarer (a traveller who is cut off from everything)...
(At-Tawbah 9:60)**

QUESTION 1:

As for investing in companies on a stock exchange, they are all using money borrowed on interest to further their businesses. Also many blue chip companies are supporting the oppression on Muslim countries... for ex. Shell... would it not be better to stay away from their stock markets and companies and invest in our own businesses to become independent?

ANSWER_1:

- if it is a blue chip company it is permissible
- Carols slim
- 90 billion
- the Muslims don't have their own stock exchange
- Claro
- you can invest with carols slim
- selling cell phone services
- there is no gambling involved
- shell has been around for a while

QUESTION 2:

If the wife has Gold Necklace, who does pay for the Zakat on it wife or Husband?

ANSWER_2:

- you don't pay zakat on the gold you wear

85 grams gold

600 grams silver

**-only the gold you have for investment
if you store your wealth in gold this is when you pay zakat on it**

QUESTION 3:

Is it permissible to invest your money in an Islamic bank which promises to be free of riba while it runs under the authorization of the national bank of that country which deals with riba?

ANSWER_3:

-you are allowed to invest your money in this bank, if there is no riba involved in that bank

I have an amount in an Islamic bank. Is it permissible for me to pay Zakat in advance during the year? Like when I receive interest; as I fear when the time of paying it comes, I will not have money to pay it.

**Do we give Zakat out of the capital only or of capital and interest together?
Praise be to Allaah.**

Firstly:

**It is not permissible for a Muslim to invest his wealth in a riba-based bank, or that which is called Islamic but is not; rather it should be Islamic in nature as well as in name. If the bank is Islamic and does not deal in riba by taking or giving interest, and it invests its wealth and distributes the profits to the investors in accordance with the rulings of Islamic sharee'ah, then there is nothing wrong with investing money in it.
See also the answer to question no. 47651**

Secondly:

**With regard to paying zakaah in advance, the correct view is that it is permissible, and this is the view of the majority of scholars, but it is better not to pay zakaah in advance, unless there is a reason for doing so.
Shaykh al-Islam Ibn Taymiyah (may Allaah have mercy on him) said: As for paying zakaah before it is due, that is permissible according to the majority of scholars, such as Abu Haneefah, al-Shaafa'i and Ahmad, and it is permissible to pay zakaah in advance on livestock and gold and silver, and trade goods, if he owns the nisaab (minimum threshold)**

[Majmoo' al-Fataawa (25/85, 86)]

**The scholars of the Standing Committee for Issuing Fatwas said:
There is nothing wrong with paying zakaah one or two years in advance, if that will serve an interest, and giving it to the poor and needy on an annual basis.
End quote.
Shaykh 'Abd al-'Azeez ibn Baaz, Shaykh 'Abd al-Razzaq 'Afeefi, Shaykh 'Abd-Allaah ibn Ghadyaan**

[Fataawa al-Lajnah al-Daa'imah (9/422)]

Shaykh Muhammad ibn Saalih al-'Uthaymeen (may Allaah have mercy on him) was asked:

What is the ruling on paying zakaah for several years in advance to disaster victims?

He replied:

Paying zakaah more than a year in advance is valid, but it is only permissible for a few years, and it is not permissible for more than that. But one should not pay zakaah in advance unless it is in response to a need such as a severe famine or jihad and the like. In that case we say that it should be paid in advance, because there may be reason to make what is ordinarily less appropriate more appropriate, otherwise it is better not to pay zakaah until it becomes due, because something could happen to his wealth of destruction and the like. Whatever the case, it should be noted that if he subsequently has more than he had when he paid in advance, zakaah must be paid on the additional amount.

[Fataawa al-Shaykh al-'Uthaymeen (18/328)]

Thirdly:

Zakaah must be paid on all the money - both the capital and the profits - when one year has passed from the time when the capital was acquired and reached the nisaab. The year in question is a hijri year.

The scholars of the Standing Committee for Issuing Fatwas were asked:

I have some wealth worth fifteen thousand riyals (15,000) which I gave to a man to do business with, on the basis that he would have half of the profits. Is any zakaah due on this money? Which should I pay zakaah on, the capital, the profit or both? If zakaah is due on the capital and we bought goods with the capital such as carpets, furniture and the like, what is the ruling in that case?

They replied:

Zakaah is due on the wealth mentioned which has been prepared for trade, when one year has passed. Zakaah should be paid on the capital as well as the profits when one year has passed, even if the money was used to buy trade goods. Their value should be worked out based on the market price at that time, when one year has passed, and zakaah should be paid at a rate of two and half percent (2.5%) on the total wealth, including the profits. End quote.

Shaykh 'Abd al-'Azeez ibn Baaz, Shaykh 'Abd al-Razzaaq 'Afeefi, Shaykh 'Abd-Allaah ibn Ghadyaan.

Fataawa al-Lajnah al-Daa'imah (9/356, 357)

They also said:

Zakaah must be paid on the capital and profits when one year has passed since the wealth was first acquired (the capital). The year for the profits is the same as the year for the original capital. End quote.

Shaykh 'Abd al-'Azeez ibn Baaz, Shaykh 'Abd al-Razzaaq 'Afeefi, Shaykh 'Abd-Allaah ibn Ghadyaan.

[Fataawa al-Lajnah al-Daa'imah (9/356, 357)]

We should also point out that if the Islamic bank pays zakaah on behalf of its customers, that is sufficient and he does not have to pay zakaah, if the bank can be trusted to do that in the proper Islamic manner, but he still has to pay zakaah on that which is in his possession and that which he owns, which is not in the bank.